

STEVEN A. SILNUTZER, P.C.
335 E. Jimmie Leeds Road, Bldg 200-Suite C
Galloway, New Jersey 08205
(609) 748-6100
Attorney for Debtor
Steven A. Silnutzer- SAS-0833

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In Re:)	Case No. 13-21376 (GMB)
)	
COCCO, Thomas J., Sr.)	Chapter 13
)	
Debtor(s))	NOTICE OF MOTION TO PROTECT
)	PERSONAL ASSETS, PROTECT POTENTIAL
)	INTEREST IN REAL ESTATE/99YEAR LEASES,
)	AND TO PROTECT PERSONAL PROPERTY
)	THAT WAS LOCATED AT ONE OF THE SITES
)	OWNED BY DEBTOR WHICH WAS A 99 YEAR
)	LEASE

Notice To:

Isabel C. Balboa
Chapter 13 Standing Trustee
Cherry Tree Corporate Center
535 Route 38, Suite 580
Cherry Hill, NJ 08002

Swan Lake Resort LLC
Attn: Lori C. Greenberg & Assoc.
1 Eves Drive, Suite 111
Marlton, NJ 08053-3125

Swan Lake Resort, LLC
106 East Moss Mill Road
Galloway, NJ 08205

Vincent C. Graber
912 Schoolview Drive
Absecon, NJ 08201

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TAKE NOTICE that the Debtor through his attorney, Steven A. Silnutzer, shall move before the U.S. Bankruptcy Court, 401 Market Street, Camden, New Jersey 08101, on the 20th day of August, 2013, at 10:00 o'clock, for an order to protect personal assets, protect potential interest in real estate/99year leases and to protect personal property that was located at one of the sites owned by the Debtor which was a 99 year lease on the following grounds: although nothing was formally filed by my office, until this time there remain a number of open issues which must be brought before this Court to prevent further damage to the property of the debtor, the property of a third party, to prevent further actions which have been depleting the value of personal property of the debtor, to allow defendant, Thomas J. Cocco, Sr., not only access to these properties, but to also allow him to return to his home.

Please note that Mr. Cocco was living on these lots twelve (12) months a year on a year round basis for several years.

Due to a number of rather extreme series of events, the effect on my client has been that he has suffered damages to personal property as well as to structures that were on the three lots in question. Please note that the three lots in question are lots in which my client purchased 99 year leases by way of a one time lump sum payment. There is no rent due on the three lots. In addition, I believe that there is case law in New Jersey that in certain circumstances the Courts consider 99 year leases an actual interest in real estate.

Due to everything that has happened to my client over the last few years, there have been a lot of medical issues that the Debtor has had for some time and currently struggles with. Recent actions by other parties have made these conditions much worse. My client has told me that he is afraid that the end result of everything that is happening will be that he is either incapacitated or dead.

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Clearly there are issues relating to the fact that a Bankruptcy is filed after there are Court proceedings like Landlord/Tenant Court. In this case, an Order of Ejectment was signed. I believe this is a rather unusual order, and it is likely that this order was issued improperly.

The Debtors shall rely on the attached certifications and arguments of counsel. No brief is necessary as the issues herein are straightforward. Oral argument is requested.

Please note that should you object to the relief requested in this motion that you must serve your written objection 7 days prior to the hearing date to the United States Bankruptcy Court - 401 Market Street- 2d Floor- PO Box 2067-Camden, NJ 08101, and serve a copy to my office as well.

STEVEN A. SILNUTZER, P.C.

Dated: July 18, 2013

/s/ Steven A. Silnutzer, Esq.